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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN PEARL SMITH, II,

Defendant.

No. CR16-0086-SLG-DMS

JOINT STATUS REPORT FOR MAY 12,
2021, HEARING

1 A status hearing is scheduled in this matter on May 12, 2021. The court directed
2 the parties to file a joint status report addressing (1) the current anticipated length of
3 trial; (2) the number of anticipated expert witnesses; and (3) a proposal when Mr. Smith
4 should be moved from SeaTac to Anchorage prior to trial. The parties have conferred
5 and submit this joint status report:
6

- 7 1) The anticipated trial: 8-10 weeks (3 weeks for the guilt phase and 5 – 7
8 weeks for potential penalty phase).
- 9 2) Number of anticipated expert witnesses: Government anticipates
10 approximately twelve experts in the guilt phase, and two to three expert
11 witnesses in the penalty phase. The defense anticipates three to five expert
12 witnesses in the penalty phase.
- 13 3) Transfer proposal: the parties propose that Mr. Smith not be transported
14 from SeaTac, Washington, to Anchorage, Alaska, until September 1, 2021
15 (two weeks before jury selection).

16 There are two additional matters the parties would like to inform the court about.
17 The defense has not been able to have in-person visits with their client since March,
18 2020. Counsel is hopeful that in-person visits will resume shortly, but expects
19 restrictions (*e.g.*, limits to days, times or duration) will be in place.

20 Finally, the Department of Justice (“DOJ”) is currently reviewing the defense’s
21 request for deauthorization of the death penalty pursuant to Justice Manual 9-10.160. It
22 is unknown when a decision will be made, but DOJ is aware of the Court’s trial
23 schedule and relevant deadlines.
24
25

1 Dated this 11th day of May, 2021.

2 /s/ Suzanne Lee Elliott

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23 Attorneys for Mr. Smith

24 Certificate of Service:

25 I hereby certify that I electronically filed the
foregoing, and any attachments, with the
Clerk of court for the U.S. District Court for
the District of Alaska by using the district's
CM/ECF system on March 11, 2021. All
participants in this case are registered
CM/ECF users and will be served by the
district's CM/ECF system.

26 /s/ Mark A. Larrañaga

27 Mark A. Larrañaga